

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA,

V.

FERNANDO VEGA-GARCIA,

Defendant-Petitioner.

CASE NO. 5:10-CR-29(MTT)

ORDER

This matter is before the Court on the United States Magistrate Judge Charles H. Weigle's Recommendation (Doc. 92) on Petitioner's Motion to Vacate, Correct or Set Aside Sentence pursuant to 28 U.S.C. § 2255 (Docs. 84 and 89). The Magistrate Judge recommends denying the Petitioner's Motion because he failed to state a claim for relief pursuant to § 2255 and because his claims are procedurally defaulted. (Doc. 92 at 1). The Petitioner has not objected to the Recommendation. The Court has reviewed the Petitioner's Motion and the Recommendation. The Recommendation is adopted, and the Petitioner's Motion to Vacate, Set Aside, or Correct Sentence is **DENIED**. (Docs. 84 and 89).

SO ORDERED, this the 4th day of October, 2012.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT